

Doc Code: PET.PTA.RCAL

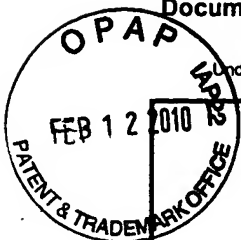
Document Description: Request for Recalculation in view of Wyeth

PTO/SB/131 (01-10)

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REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT IN VIEW OF WYETH*

10,496,643

Attorney Docket Number: Banks0401	Patent Number: 7,595,032
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Filing Date (or 371(b) or (f) Date): 03/08/2004	Issue Date: 09/29/2009
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First Named Inventor: Banks, Percival
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Title: A Protected Seal For A Filtered Vent In A Sterilization Container

PATENTEE HEREBY REQUESTS RECALCULATION OF THE PATENT TERM ADJUSTMENT (PTA) UNDER 35 USC 154(b) INDICATED ON THE ABOVE-IDENTIFIED PATENT. THE PATENTEE'S SOLE BASIS FOR REQUESTING THE RECALCULATION IS THE USPTO'S PRE-WYETH INTERPRETATION OF 35 U.S.C. 154(b)(2)(A).

Note: This form is only for requesting a recalculation of PTA for patents issued before March 2, 2010, if the sole basis for requesting the recalculation is the USPTO's pre-Wyeth interpretation of 35 U.S.C. 154(b)(2)(A). See Instruction Sheet on page 2 for more information.

Patentees are reminded that to preserve the right to review in the United States District Court for the District of Columbia of the USPTO's patent term adjustment determination, a patentee must ensure that he or she also takes the steps required under 35 U.S.C. 154(b)(3) and (b)(4) and 37 CFR 1.705 in a timely manner.

*Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010).

Signature:	Date: 2/1/10
Name (Print/Typed): H. Michael Brucker	Registration Number: 19,737

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Office of Management and Enterprise Services, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SE Box 1450, Alexandria, VA 22313-1450.

If you need assistance, contact the Office of Management and Enterprise Services, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING (37 CFR 1.8(A)): I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: **02/01/10**

Cynthia E. Haden
Type/print name of person mailing paper
Cynthia E. Haden
Signature of person mailing paper